

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

2012 FEB 29 P 2:41

UNITED STATES OF AMERICA

v.

CHRIS SVETLINOV DRAGIEV,
a/k/a Koycho Dragiev,
a/k/a Svetlin Dragiev
and
ATANAS G. GEORGIEV

1:12-cr-25

Judge

Collier/lee

INDICTMENT

COUNT ONE: 18 U.S.C. §§ 371 and 1029(b)(2)
(Conspiracy to Use and Possess Counterfeit Access Devices)

The Grand Jury charges that:

1. Between on or about September 29, 2011, and continuing through on or about October 18, 2011, in the Eastern District of Tennessee and elsewhere, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, did knowingly conspire and agree with each other to violate Title 18, United States Code, Section 1029(a)(1) and (a)(3), that is to knowingly and with intent to defraud, use one or more counterfeit access device and to possess fifteen (15) or more counterfeit access devices.

MANNER AND MEANS OF THE CONSPIRACY

2. It was part of the conspiracy that defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by others unknown to the grand jury, would and did obtain magnetic strip account access

information from Regions Bank customers Automated Teller Machine (ATM) cards and corresponding Personal Identification Numbers (PINs).

3. It was further part of the conspiracy that defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by others unknown to the grand jury, would and did re-code blank Wal-Mart gift cards with the magnetic strip account access information from Regions Bank customers' ATM cards, rendering them counterfeit access device cards that could be used in ATM machines.

4. It was further part of the conspiracy that defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, and others unknown to the grand jury, wrote the PIN numbers associated with the bank accounts on the counterfeit access devices.

5. It was further part of the conspiracy that defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, would and did travel to financial institutions in the Eastern District of Tennessee, the Middle District of Tennessee, the Western District of North Carolina, and the District of South Carolina and use the counterfeit access devices to obtain funds from Regions Bank customers without their knowledge or permission.

OVERT ACTS

6. In furtherance of the conspiracy and to effect the objects of the conspiracy, the following overt acts, among others, were committed in the Eastern District of Tennessee and elsewhere:

a) On or about September 29 and 30 and October 3 and 4, 2011 at the Regions Bank branch in East Ridge, Tennessee, a "skimmer" device was attached to the ATM machine by

conspirator. The device secretly procured magnetic strip account access information from ATM cards of legitimate account-holders inserted into the machine and, using a concealed camera, captured the corresponding PIN numbers used to access the accounts.

b) On or about October 15, 2011, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, used Wal-Mart gift cards that had been re-coded with magnetic strip account access information from ATM cards of legitimate bank account-holders, and used PIN information secretly obtained from the skimmer referenced in overt act a) to access bank accounts for Regions Bank account holders and withdrew money from these accounts through ATMs located in the Middle District of Tennessee, without the account holders' permission or authority.

c) On or about October 16, 2011, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, used Wal-Mart gift cards that had been re-coded with magnetic strip account access information from ATM cards of legitimate bank account holders, and used PIN information secretly obtained from the skimmer referenced in overt act a) to access bank accounts for Regions Bank account holders and withdrew money from these accounts through ATMs located in the Middle District of Tennessee and the Eastern District of Tennessee, without the account holders' permission or authority.

d) On or about October 17, 2011, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, used Wal-Mart gift cards that had been re-coded with magnetic strip account access information from ATM cards of legitimate bank account-holders, and used PIN information secretly obtained from the skimmer referenced in overt act a) to access bank accounts for

Regions Bank account holders and withdrew money from these accounts through ATMs located in the Eastern District of Tennessee, the Western District of North Carolina, and the District of South Carolina without the account holders' permission or authority.

e) On or about October 18, 2011, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, used Wal-Mart gift cards that had been re-coded with magnetic strip account access information from ATM cards of legitimate bank account-holders, and used PIN information secretly obtained from the skimmer referenced in overt act a) to access bank accounts for Regions Bank account holders and withdrew money from these accounts through ATMs located in the Middle District of Tennessee, without the account holders' permission or authority.

f) On or about October 18, 2011, in the Middle District of Tennessee, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, possessed 39 Wal-Mart gift cards that had been re-coded with magnetic strip account access information from ATM cards of legitimate account-holders, without the account holders' permission or authority.

All in violation of Title 18, United States Code, Sections 371 and 1029(b)(2).

**COUNT TWO: 18 U.S.C. §1344
(Bank Fraud)**

The Grand Jury further charges that:

A. THE SCHEME:

Between on or about October 15, 2011, and continuing through on or about October 18, 2011, in the Eastern District of Tennessee and elsewhere, defendants CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, did

knowingly execute and attempt to execute a scheme or artifice to defraud a federally-insured financial institution, that is, Regions Bank, a financial institution, the deposits of which were at all relevant times insured by the Federal Deposit Insurance Corporation (FDIC), and to obtain money, funds and property owned by and under the custody and control of the aforesaid financial institution by means of material false and fraudulent pretenses and representations, such scheme to obtain money being in substance as follows:

1. It was part of the scheme to defraud that the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, would and did obtain magnetic strip account information from ATM cards of legitimate Regions Bank account-holders and also obtained PIN numbers, knowing full well that they did not have permission to possess this information from the account-holders or Regions Bank.

2. It was further part of the scheme to defraud that the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, aided and abetted by each other, would and did use the unlawfully obtained account information which had been re-coded onto Wal-Mart gift cards, constituting counterfeit access devices, along with the unlawfully obtained PIN information, to access Regions Bank accounts and withdraw cash from accounts without the permission or authority of the account-holders or Regions Bank.

B. THE EXECUTION:

On or about October 15 through October 18, 2011, the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, executed and attempted to execute the scheme and artifice set forth in Part A of this Indictment,

by traveling to ATMs in Tennessee, North Carolina, and South Carolina, and withdrawing approximately \$71,880 from approximately 75 Regions Bank accounts.

All in violation of Title 18, United States Code, Sections 1344 and 2.

**COUNTS THREE through TWENTY: 18 U.S.C. § 1029(a)(1)
(Using Counterfeit Access Devices)**

The Grand Jury further charges that:

On or about the following dates, in the Eastern District of Tennessee, the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev, and ATANAS G. GEORGIEV, did knowingly and with intent to defraud, use, attempt to use, and aid and abet in the use of, one or more counterfeit access devices, that is, counterfeit Regions Bank ATM cards, as defined in 18 U.S.C. §§ 1029 (e)(1) and (2), and do so in a manner affecting interstate and foreign commerce as further described below:

Count	Date	Transaction
Three	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5794 at First Tennessee Bank, 3604 Tennessee Ave., Chattanooga, TN
Four	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 1678 at Regions Bank, 3614 Tennessee Ave., Chattanooga, TN
Five	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 1160 at Regions Bank, 3614 Tennessee Ave., Chattanooga, TN
Six	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9468 at Regions Bank, 1206 Market Street, Chattanooga, TN

Seven	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5831 at Regions Bank, 1206 Market Street, Chattanooga, TN
Eight	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 3506 at Regions Bank, 1206 Market Street, Chattanooga, TN
Nine	10/16/11	Withdrawal of \$600 from Regions Bank account #xxxx xxxx xxxx 3560 at First Tennessee Bank, 1350 Broad Street, Chattanooga, TN
Ten	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 6082 at First Tennessee, 3604 Tennessee Ave., Chattanooga, TN
Eleven	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5575 at Regions Bank, 5515 Brainerd Road., Chattanooga, TN
Twelve	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 8309 at Regions Bank, 5515 Brainerd Road, Chattanooga, TN
Thirteen	10/17/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 2123 at Regions Bank, 2128 Gunbarrel Road, Chattanooga, TN
Fourteen	10/17/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 6977 at Regions Bank, 5596 Little Debbie Parkway, Ooltewah, TN
Fifteen	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9600 at Regions Bank, 800 25 th Street, N.W., Cleveland, TN
Sixteen	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 4688 at Regions Bank, 10245 Kingston Pike, Knoxville, TN
Seventeen	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 2551 at Regions Bank, 9206 Park West Blvd, Knoxville, TN

Eighteen	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9748 at Regions Bank, 7821 Kingston Pike, Knoxville, TN
Nineteen	10/17/11	Withdrawal of \$380 from Regions Bank account #xxxx xxxx xxxx 1929 at Regions Bank, 707 N. Broadway, Knoxville, TN
Twenty	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 1536 at Regions Bank, 707 N. Broadway, Knoxville, TN

All in violation of Title 18, United States Code, Sections 1029(a)(1), 1029(b)(1) and 2.

**COUNT TWENTY-ONE: 18 U.S.C. § 1029(a)(3)
(Possessing Counterfeit Access Devices)**

The Grand Jury further charges that:

On or about October 16 and 17, 2011, in the Eastern District of Tennessee and elsewhere, the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev and ATANAS G. GEORGIEV, aided and abetted by each other, did knowingly and with intent to defraud, possess, and aid and abet in the possession of, fifteen (15) or more counterfeit access devices, that is, counterfeit Regions Bank ATM cards, as defined in 18 U.S.C. §§ 1029 (e)(1) and (2), and did so in a manner affecting interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 1029(a)(3) and (b)(1) and 2.

**COUNTS TWENTY-TWO through THIRTY-NINE:
18 U.S.C. §1028A(a)(1), (c)(4) &(c)(5)
(Aggravated Identity Theft)**

The Grand Jury further charges that:

On or about the following dates and at the following places, in the Eastern District of Tennessee, the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a

Svetlin Dragiev, and ATANAS G. GEORGIEV, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit, a PIN and the magnetic strip information for an access device, specifically an Regions Bank ATM card, for the accounts identified below, during and in relation to (a) the use, and attempted use, of one or more counterfeit access devices, in violation of 18 U.S.C. §§1029(a)(1) and (3), (b)(1); and (b) the execution, and attempted execution, of a scheme to commit bank fraud, in violation of 18 U.S.C. §1344:

Count	Date	Transaction
Twenty-Two	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5794 at First Tennessee Bank, 3604 Tennessee Ave., Chattanooga, TN
Twenty-Three	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 1678 at Regions Bank, 3614 Tennessee Ave., Chattanooga, TN
Twenty-Four	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 1160 at Regions Bank, 3614 Tennessee Ave., Chattanooga, TN
Twenty-Five	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9468 at Regions Bank, 1206 Market Street, Chattanooga, TN
Twenty-Six	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5831 at Regions Bank, 1206 Market Street, Chattanooga, TN
Twenty-Seven	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 3506 at Regions Bank, 1206 Market Street, Chattanooga, TN
Twenty-Eight	10/16/11	Withdrawal of \$600 from Regions Bank account #xxxx xxxx xxxx 3560 at First Tennessee Bank, 1350 Broad Street, Chattanooga, TN

Twenty-Nine	10/16/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 6082 at First Tennessee, 3604 Tennessee Ave., Chattanooga, TN
Thirty	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 5575 at Regions Bank, 5515 Brainerd Road., Chattanooga, TN
Thirty-One	10/16/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 8309 at Regions Bank, 5515 Brainerd Road, Chattanooga, TN
Thirty-Two	10/17/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 2123 at Regions Bank, 2128 Gunbarrel Road, Chattanooga, TN
Thirty-Three	10/17/11	Withdrawal of \$300 from Regions Bank account #xxxx xxxx xxxx 6977 at Regions Bank, 5596 Little Debbie Parkway, Ooltewah, TN
Thirty-Four	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9600 at Regions Bank, 800 25 th Street, N.W., Cleveland, TN
Thirty-Five	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 4688 at Regions Bank, 10245 Kingston Pike, Knoxville, TN
Thirty-Six	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 2551 at Regions Bank, 9206 Park West Blvd, Knoxville, TN
Thirty-Seven	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 9748 at Regions Bank, 7821 Kingston Pike, Knoxville, TN
Thirty-Eight	10/17/11	Withdrawal of \$380 from Regions Bank account #xxxx xxxx xxxx 1929 at Regions Bank, 707 N. Broadway, Knoxville, TN
Thirty-Nine	10/17/11	Withdrawal of \$400 from Regions Bank account #xxxx xxxx xxxx 1536 at Regions Bank, 707 N. Broadway, Knoxville, TN

All in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028A(c)(4) and 1028A(c)(5).

COUNTERFEIT ACCESS DEVICE FORFEITURE ALLEGATIONS

1. The allegations contained in Count 1 and Counts 3 - 20 of this indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 982 (a)(2)(B) and 1029 (c)(1)(C).

2. Upon conviction of one or more offenses in violation of 18 U.S.C. §1029, as alleged in this indictment, defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev and ATANAS G. GEORGIEV, shall forfeit to the United States:

(a) Pursuant to 18 U.S.C. § 982 (a)(2)(B), any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of one or more of the offenses; and

(2) Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to one or more of the offenses, including but not limited to \$71,880 which represents the amount of money fraudulently obtained as a result of these offenses; and

(3) Pursuant to 18 U.S.C. § 1029 (c)(1)(C), any personal property used or intended to be used to commit one or more of the offenses.

The property subject to forfeiture includes, but is not limited to, the following:

a. \$3,920 in U.S. currency, seized on or about October 18, 2011, and currently held in the custody of the United States Secret Service;

3. If any of the property described above, as a result of any act or omission by the defendants

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

it is the intention of the United States, pursuant to 18 U.S.C. § 1029(c)(2), and/or 982(b)(1), and 28 U.S.C. § 2461(c), all of which incorporate 21 U.S.C. 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described above.

BANK FRAUD FORFEITURE ALLEGATIONS

1. The allegations contained in Count 2 of this indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(2)(A).

2. Upon conviction of one or more offenses in violation of 18 U.S.C. § 1344, as alleged in this indictment, the defendants, CHRIS SVETLINOV DRAGIEV, a/k/a Koycho Dragiev, a/k/a Svetlin Dragiev and ATANAS G. GEORGIEV, shall forfeit to the United States , pursuant to 18 U.S.C. § 982(a)(2)(A), any property constituting, or derived from, proceeds obtained, directly or indirectly, as the result of such violation, including but not limited to \$72,530 which represents the amount of money fraudulently obtained as a result of this offense.

3. If any of the property described above, as a result of any act or omission by the defendants

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,


it is the intention of the United States, pursuant to 18 U.S.C. §§ 982(b)(1) and 28 U.S.C. § 2461(c), which incorporate 21 U.S.C. 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described above.

A TRUE BILL.

SIGNATURE REDACTED

GRAND JURY FOREPERSON

NANCY STALLARD HARR
Acting United States Attorney

By: 
Gregg L. Sullivan
Assistant U.S. Attorney